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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,456	12/13/2000	Mathias Bauer	P-4580	9764

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EXAMINER

BASOM, BLAINE T

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,456

Applicant(s)

BAUER ET AL.

Examiner

Blaine Basom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 and 19-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 1, 7, 19, 21, and 23, there is no antecedent basis for "said file navigation window," which is recited in each of these claims. Claims 2-6, 8-12, 20, 22, and 24 depend on either rejected claim 1, 7, 19, 21, or 23 and include all of the limitations of claim 1, 7, 19, 21, or 23 thereby rendering these dependent claims indefinite. With additional regard to claim 5, the claim recites "a latest used directories." This phraseology is considered to render the claim indefinite, as it is unclear as to whether the phrase expresses a single latest used directory or plural latest used directories. Lastly, in claims 6, 12, and 18, there is no antecedent basis for "the list of user-defined directories," which is recited in each of these claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1- 2, 4-5, 7-8, 10-11, 13-14, 16-17, and 19-24 are rejected under 35 U.S.C. 102(e) as being as anticipated by U.S. Patent No. 6,393,429, which is attributed to Yagi et al. (and hereafter referred to as “Yagi”). In general, Yagi presents a “file handling device,” which is intended to reduce the time and effort required to select a file within a file directory structure (see column 2, line 66 – column 3, line 4). Consequently, Yagi is considered to teach a method of entering a new file directory on a computer.

With respect to claim 1, figures 9(A) and 9(B) present a graphical user interface implementing the file handling device taught by Yagi. Figure 9(A) more specifically shows a

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“file selection” screen which is used to find and open a particular file (see column 10, lines 61-66). It is understood that when this file selection screen is first opened, the contents of a current folder are displayed in a “list box” within the screen (see column 10, lines 11-16). As designated by reference number 82, this file selection screen contains a “Browse” button which when selected, results in the display of the “folder tree screen” shown in figure 9(B) (see column 10, line 66 – column 11, line 5). As shown in figure 9(B), the folder tree screen is divided into a plurality of sections, one section displaying an ordinary folder tree, another displaying a list of recently access files, another displaying a list of user-specified files, another displaying a list of recently accessed folders, and finally, a last section displaying a list of user-defined folders (see column 11, lines 5-9). Yagi further discloses that if a folder in any of these sections is selected, the content of that folder is displayed in the file selection screen of figure 9(A) (see column 11, lines 10-16). Consequently, it is understood that Yagi teaches: displaying a file navigation icon, namely a Browse button; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this browse button, and wherein this folder tree screen comprises a plurality of sections, specifically an ordinary folder tree section, a recently accessed folders section, and a user-defined folders section, wherein each of these sections includes a different directory category and at least one directory, i.e. folder; and, displaying the contents of a folder in response to the selection of the folder in the folder tree screen.

Regarding claim 19, Yagi discloses that the above-described method is implemented as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the

above-described method is considered a computer program product, like that recited in claim 19, which is for entering a new file directory.

Regarding claim 23, Yagi discloses that the above-described method is implemented on a computer (see column 6, lines 14-24). Consequently, such a computer implementing the above-described method is considered an apparatus, like that recited in claim 23.

Concerning claim 7, the above-described method taught by Yagi comprises: displaying a file open window, namely a file selection screen, wherein this file selection screen includes a file navigation icon, specifically a Browse button, and wherein the contents of a first directory, i.e. a current folder, are displayed in the file selection screen; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this browse button, and wherein this folder tree screen comprises a plurality of sections, specifically an ordinary folder tree section, a recently accessed folders section, and a user-defined folders section, wherein each of these sections includes a different directory category and at least one directory, i.e. folder; and lastly, displaying the contents of a folder in response to the selection of the folder in the folder tree screen, whereby there is no predefined hierarchical relationship between the first directory and this folder.

Regarding claim 21, Yagi discloses that the above-described method is implemented as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the above-described method is considered a computer program product, like that recited in claim 21, which is for entering a new file directory.

In regard to claim 13, the above-described method taught by Yagi comprises: displaying a file open window, referred to as a file selection screen, wherein this file selection screen

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includes a directory content window, or more specifically, a list box, and also, wherein this file selection screen includes a file navigation icon, specifically a Browse button. As further described above, Yagi teaches that upon a first action on this Browse button, the contents of a directory are displayed in the directory content window, i.e. list box. This first action is specifically defined as the selection of the Browse button, and then the subsequent selection of a directory displayed within the ensuing file navigation dialogue window, i.e. folder tree screen. As shown above, Yagi further teaches that upon a second action on the Browse button, a file navigation dialog window, referred to as a folder tree screen, is displayed. This second action is defined as the selection of the Browse button.

As per claims 2, 8, 14, 20, 22, and 24, the folder tree screen put forth by Yagi comprises a plurality of sections, wherein of particular relevance to the claimed invention, one section displays an ordinary folder tree, a second section displays user-defined folders, and a third section displays recently accessed folders, as is shown above. Yagi discloses that, by using a "display item setting" screen, one may choose whether to display the recently accessed folders section and the user-defined folders section, in addition to specifying which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). However, it is understood that the ordinary folder tree is displayed regardless, or in other words, it is displayed by default. As shown in figure 9(B), the ordinary folder tree is essentially a hierarchical list of all the folders and files on the user's computer. The folders displayed in the ordinary folder tree are therefore considered default directories. Yagi thus teaches that the plurality of sections displayed in the folder tree screen comprises a first section, namely the ordinary folder tree section, which comprises a list of predefined default directories; a second section, namely the

user-defined folders section, which comprises at least one user selected directory; and a third section, namely the recently accessed folders section, which comprises a last used directory.

Regarding claims 4, 10, and 16, Yagi discloses that the style and content of the folder tree screen, i.e. the file navigation dialogue window, is based on user input into a display item setting screen (see column 7, line 66 – column 8, line 14). Also, Yagi discloses that the above-described method of displaying a folder tree screen is applied to an entire operating system, as apposed to a single application or document (see column 6, lines 10-13). Consequently, it is interpreted that the style and content of the folder tree screen is independent of the current document context.

In reference to claims 5, 11, and 17, the folder tree screen put forth by Yagi comprises a plurality of sections, wherein as shown above, one such section displays the last used directory, i.e. folder. Thus anytime that a folder is accessed but is not in this section, the folder is added to the section, as is expressed by Yagi (see column 1, lines 34-40). As there are a set number of folders that may be displayed in this section, if the section is full and a new folder has to be added, the oldest folder is removed from the section. Consequently, the section always maintains the *last* accessed folder. It is therefore understood that, because the section maintains a list of the recently used folders, which includes the last accessed folder, the section contains the latest used folders that would be accessed in the present computer or network session.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6, 9, 12, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the U.S. Patent of Yagi, which is described above, and also over U.S. Patent No. 6,370,549, which is attributed to Saxton. As shown above, Yagi discloses a method and graphical user interface like that of claims 2, 8, and 14, wherein a folder tree screen, i.e. a file navigation dialog window, is displayed. As shown above, this folder tree screen is comprised of a plurality of sections; a first section, namely an ordinary folder tree section, comprises a list of predefined default directories; a second section, namely a user-defined folders section, comprises at least one user selected directory; and a third section, namely a recently accessed folders section, comprises a last used directory. As further shown above, the ordinary folder tree section displays a hierarchical list of all the folders and files on the user's computer. Yagi however does not explicitly disclose that this list contains a document templates directory, as is recited in each of claims 3, 9, and 15. Furthermore, Yagi teaches that by using a display item setting screen, one may specify which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). It is thus understood that a user may choose any folder on the user's computer to display in this section. However, and in regard to the claimed invention, Yagi does

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not explicitly teach that this section includes a shared user directory accessible to a plurality of users, as is expressed in each of claims 6, 12, and 18.

Like Yagi, the U.S. Patent of Saxton concerns the efficient access of files and folders within a file directory structure (see column 2, lines 7-12). Concerning the claimed invention, Saxton provides an illustration of such a directory structure, the illustration being shown in figure 2a. This directory structure, like the ordinary folder tree section of Yagi, displays a hierarchical list of files and folders. Moreover, this directory structure includes a "templates" directory, which is designated by reference number 220, and which is interpreted to be a document templates directory. Also, the directory structure shown by figure 2a includes a "shared files" directory, which is designated by reference number 204, and which is interpreted to be a shared user directory accessible to a plurality of users. The uses and benefits of document templates, as well as shared files, are known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Yagi and Saxton before him at the time the invention was made, to modify the hierarchical file structure presented by Yagi to include a document templates directory and a shared user directory as is in the file structure presented by Saxton. It would have been advantageous to one of ordinary skill to utilize such combination because grouping shared files and document templates into directories provides for better file organization and thus faster access to these files, as is demonstrated by Saxton. Consequently, since the ordinary folder tree section taught by Yagi displays a hierarchical list of all the folders and files on the user's computer, it is understood that the ordinary folder tree section would thus display a document templates directory, which as taught Yagi and Saxton, is included in the hierarchical list of all the folders

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and files on the user's computer. Similarly, since a user may choose any folder on the user's computer to display in the user-defined folders section, and since as taught by the combination of Yagi and Saxton, the hierarchical file structure on the user's computer includes a shared user folder, it is understood that a user may choose to display a shared user folder in the user-defined folders section. Thus the combination of Yagi and Saxton teaches that the predefined default directories, i.e. the ordinary folder tree section, includes a document templates directory. Similarly, the combination teaches that the user-defined folders section, i.e. the list of user-defined directories, may include a shared user directory accessible to a plurality of users.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The applicant is required under 37 C.F.R. §1.111(C) to consider these references fully when responding to this action. The Cohen-Levy U.S. Patent cited therein presents a method whereby a hierarchical directory is sectioned and each section is presented to the user. Similarly, the Khan U.S. Patent cited therein presents a hierarchical file structure that is sectioned into various categories. Lastly, the Griesmer U.S. Patent cited therein presents a graphical user interface displaying a hierarchical file structure, wherein a user may specify specific sub-trees within the structure to view.

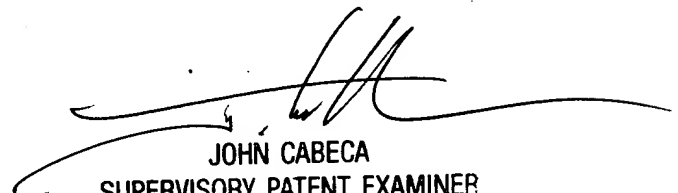
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7238 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

btb
May 30, 2003



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100